

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David C. Racenet Examiner: Michelle Lopez

Serial No.: 10/529,800 Group: Art Unit 3721

Filed: March 30, 2005 Dated: August 7, 2006

For: **TOOL ASSEMBLY FOR SURGICAL STAPLING DEVICE**

Mail Stop: Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL FORM

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [] Small entity status of this application under 37 C.F.R. § 1.9 and 1.27 has been established by a verified statement previously submitted.
- [] A verified statement to establish small entity under 37 C.F.R. § 1.9 and 1.27 is enclosed.
- [X] No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	ADDT. RATE FEE	OR	ADDT. RATE FEE
TOTAL	29	MINUS 29	=	X 25 \$	X 50	\$ 0
INDEP.	2	MINUS 3	=	X 100 \$	X 200	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				X 180 \$	X 360	\$ 0
				TOTAL <u>ADDIT. FEE</u> \$ -0-	OR TOTAL	\$ 0

* If the entry in Co. 1 is less than entry in Col. 2, write "0" in Col. 3.

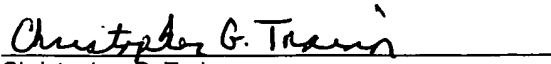
** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on date below.

Dated: August 7, 2006

 Christopher G. Trainor

- Please charge Deposit Account No. 21-0550 in the amount of \$_____. Two (2) copies of this sheet are enclosed.
- A check in the amount of \$____ is enclosed.
- Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,

Christopher G. Trainor

Christopher G. Trainor
Reg. No. 39,517
Attorney for Applicant(s)

CARTER, DELUCA, FARRELL & SCHMIDT, LLP
445 Broad Hollow Road - Suite 225
Melville, New York 11747
(631) 501-5700
(631) 501-3526 (fax)

Correspondence address:

Mark Farber, Esq.
United States Surgical,
a Division of Tyco Healthcare Group, LP
195 McDermott Road
North Haven, CT 06473

Appl. No. 10/529,800
Amtd. Dated August 7, 2006
Reply to Office Action of May 5, 2006



PATENT
Atty. Docket No: 2863 (203-3511)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: David C. Racenet EXAMINER: Michelle Lopez
SERIAL NO.: 10/529,800 GROUP: Art Unit 3721
FILED: March 30, 2005 DATED: August 7, 2006

FOR: **TOOL ASSEMBLY FOR SURGICAL STAPLING DEVICE**

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop: AMENDMENT

AMENDMENT

Sir:

In response to the Office Action mailed May 5, 2006, please amend this application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 7, 2006.

Dated: August 7, 2006

Christopher G. Trainor
Christopher G. Trainor